

ORDINANCE 1535

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, ADOPTING AMENDMENTS TO NORTH BEND MUNICIPAL CODE SECTION 15.02.500, WORK EXEMPT FROM A PERMIT, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Section 15.02.500 of the North Bend Municipal Code (“NBMC”) provides for exemptions from permit requirements in Chapter 15.02 NBMC, Construction Administrative Code; and

WHEREAS, recently, the City has reviewed Section 15.02.500 NBMC and determined that a clerical error occurred during the passage of Ordinance 1276 adopted in 2007; and

WHEREAS, after careful review, the City determined it is necessary to correct the error in order for the NBMC to be in compliance with the Revised Code of Washington;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. NBMC 15.02.500 Work Exempt from Permit, Amended: North Bend Municipal Code Section 15.02.500 is hereby amended to read as follows:

15.02.500 Work exempt from permit.

Exemptions from permit requirements of this Chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Chapter or any other laws or ordinances of this jurisdiction.

A. Building permits shall not be required for the following:

1. One-story detached residential accessory structures used as tool and storage sheds, tree-supported play structures, playhouse and similar uses, provided the floor area does not exceed 200 square feet (11.15 m²).
2. Fences not over six feet (1,829 millimeters) high.
3. Oil derricks.

4. Retaining walls, which are not over four feet (1,219 millimeters) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 liters) and the ratio of height to diameter or width does not exceed two to one.
6. Sidewalks, decks and driveways not more than 30 inches (762 millimeters) above grade and not over any basement or story below and which are not part of an accessible route or means of egress.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Replacement of siding for single family residential structures and residential structures accessory to single family structures.
9. Temporary motion picture, television and theater stage sets and scenery.
10. Prefabricated swimming pools accessory to a Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches (610 millimeters) deep, do not exceed 5,000 gallons (18,925 liters) and are installed entirely above ground.
11. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
12. Swings, slides and other similar playground equipment.
13. Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 millimeters) from the exterior wall and do not require additional support of Group R-3, as applicable in Section 101.2, and Group U occupancies.
14. Movable cases, counters and partitions not over five feet nine inches (1,753 millimeters) in height.
15. Satellite earth station antennas six and one-half feet (two meters) or less in diameter or diagonal in zones other than residential zones.
16. Satellite earth station antennas three and one-quarter feet (one meter) or less in diameter in residential zones.

17. Video programming service antennas three and one-quarter feet (one meter) or less in diameter or diagonal dimension, regardless of zone.

18. Window replacement in single-family residences as long as the replacement does not reduce the egress, safety glazing, or energy requirements and the structural opening for said window replacement remains the same.

Section 2. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date: This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 7TH DAY OF OCTOBER, 2014.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Published: October 15, 2014
Effective: October 20, 2014

Susie Oppedal, City Clerk